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DOCKET NO.: EQB-0034

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Jeffrey A. Seder

Confirmation No.: 4504

Application No.: 10/521,087

Group Art Unit: 3643

Filing Date: January 13, 2005

Examiner: Not Yet Assigned

For: ECHOCARDIOGRAPHIC MEASUREMENT AS PREDICTORS OF RACING SUCCESS

DATE OF DEPOSIT: January 25, 2006

I HEREBY CERTIFY THAT THIS PAPER IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL, POSTAGE PREPAID, ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO THE UNITED STATES PATENT AND TRADEMARK OFFICE, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450.

TYPED NAME: Leslie E. Aberman
REGISTRATION NO.: 54,836

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 CFR § 1.56 and in accordance with 37 CFR §§ 1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 CFR § 1.56(b).

- ☒ In accordance with § 1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified application, within three months of the date of entry into the national stage of

the above identified application as set forth in § 1.491, before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of request for continued examination under § 1.114, no additional fee is required.

- ☐ In accordance with § 1.97(c), this Information Disclosure Statement is being filed after the period set forth in § 1.97(b) above but before the mailing date of either a Final Action under § 1.116 or a Notice of Allowance under § 1.311, or before an action that otherwise closes prosecution in the application, therefore:

☐ Certification in Accordance with § 1.97(e) is attached; or

☐ The fee of \$180.00 as set forth in § 1.17(p) is attached.

- ☐ In accordance with § 1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under § 1.113 or a Notice of Allowance under § 1.311 but before, or simultaneously with, the payment of the Issue Fee, therefore included are: Certification in Accordance with § 1.97(e); and the submission fee of \$180.00 as set forth in § 1.17(p).

- ☒ Copies of reference numbers **1 thru 15, 18 thru 21** listed on the attached Form PTO-1449 are enclosed herewith.

- ☒ Copies of reference numbers **16, 17** on the attached Form PTO 1449 are not required to be submitted pursuant to the waiver of 37 CFR § 1.98(a)(2)(i).

- ☐ Copies of references - are not being submitted because they were previously cited by or submitted to the U.S. Patent and Trademark Office in patent application number , filed for which a claim for priority under 35 U.S.C. § 120 has been made in the instant application.

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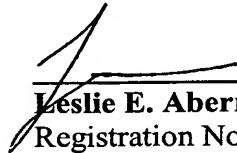
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PATENT

There are no listed references which are not in the English language.

Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050. This form is submitted in duplicate.

Date: *Tuesday 25, 2006*



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Form PTO-1449 Modified List of Patent and Publications Cited by Applicant (Use several sheets if necessary) U.S. Department of Commerce Patent and Trademark Office	Docket No. EQB-0034	Application No. 10/521,087
	Applicant Jeffrey A. Seder	
	Filing Date January 13, 2005	Group 3643
	Confirmation No. 4504	

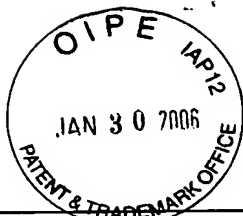
U. S. PATENT DOCUMENTS

Examiner Initial		Document No.	Date	Name	Class	Subclass
	16	6,358,208 B1	03/15/02	Lang, et al.	600	438
	17	6,577,897 B1	06/10/03	Shurubura, et al.	600	547

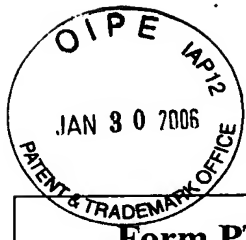
FOREIGN PATENT DOCUMENTS

Examiner Initial		Document No.	Date	Country	Translation	
					YES	NO
	18	EP 0 030 2430	06/17/81	EPO		
	19	EP 0 083 847 A2	07/20/83	EPO		
	20	EP 0 083 848 A1	07/20/83	EPO		
	21	WO 02/13938 A2	02/21/02	PCT		

EXAMINER	DATE CONSIDERED
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	Applicant Jeffrey A. Seder	
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OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)		
1	Bakos, Z. et al., "Two-Dimensional and M-Mode Echocardiographic Measurements of Cardiac Dimensions in Healthy Standardbred Trotters", <i>Acta Veterinaria Hungarica</i> , 2002 , 50(3), 273-282	
2	Feigenbaum, H., <i>Echocardiography</i> , 1986, 4 th ed. Lea & Feiber, Philadelphia, 398-402	
3	Henry, W.L. et al., "Report of the American Society of Echocardiography Committee on Nomenclature and Standards in Two-Dimensional Echocardiography", <i>Circulation</i> , 1980 , 62(2), 212-217	
4	Marr, C.M. et al., "Pre-and Post Exercise Echocardiography in Horses performing Treadmill Exercise in Cool and Hot/Humid Conditions", <i>Equine Exercise Physiology</i> Suppl 30, 1999 , 131-136	
5	Michael R. O'Grady, et al., "Quantitative Cross- Sectional Echocardiography in the Normal Dog", <i>Veterinary Radiology</i> , 1986 , 27, 34-49	
6	Pascoe, J.R. et al., " Cardiac Output Measurements using Sonomicrometer Crystals on the Left Ventricle at Rest and Exercise", <i>Equine Exercise Physiology</i> , 1999 , 30, 148-152	
7	Seder, J.A. et al., "Double and Triple Fully Airborne Phases in the Gaits of Racing Speed Thoroughbreds", <i>Proceedings from the Twelfth Meeting of the Association for Equine Sports Medicine</i> , March 13-16, 1993 , Fallbrook, California, 65-75	
8	Slater, J.D. et al., "Echocardiographic Measurements of Cardiac Dimensions in Normal Ponies and Horses", <i>Equine Vet J.</i> , 1995 , 19, 28-32	
9	<i>Thoroughbred Times</i> , July 22, 2000 , 51	
10	Voros, K. et al., "Anatomical Validation of Two-dimensional Echocardiography in the Horse", <i>Equine Vet. J.</i> , 1990 , Part 1 and 2, 392-402	
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OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)				
	11	Wyatt, H.L. et al., "Cross-Sectional Echocardiography I. Analysis of Mathematic Models for Quantifying Mass of the Left Ventricle in Dogs", <i>Circulation</i> , 1979 , 60(5), 1104-1113		
	12	Young, L.E. et al., "Measurement of Cardiac Function by Transthoracic Echocardiography: Day to Day Variability and Repeatability in Normal Thoroughbred Horses", <i>Equine Veterinary Journal</i> , 1998 , 30(2), 117-122		
	13	Young, L.E., "Cardiac Responses to Training in 2-Year-Old Thoroughbreds: An Echocardiographic Study", <i>Equine Exercise Physiology</i> , 1999 , 30, 195-198		
	14	Young, L.E. et al., "Heart Size Estimated by Echocardiography Correlates with Maximal Oxygen Uptake", <i>Equine Vet J. Suppl.</i> , 2002 , 34, 467-471		
	15	Young, L.E., "Physiological Society Symposium-The Athlete's Heart, Equine Athletes, the Equine Athlete's Heart and Racing Success", <i>Experimental Physiology</i> , 2003 , 88.5, 659-663		
EXAMINER		DATE CONSIDERED		